

WAIVER OF SERVICE OF SUMMONS

TO: Adam C. Virant

I acknowledge receipt of your request that I waive service of a summons in the action of Geraline Jones and Tscharner Kemble v. Dutchess Dialysis Center, which is case number 08-cv-4534 in the United States District Court for the Southern District of New York. I have also received a copy of the complaint in the action, two copies of this instrument, and a means by which I can return the signed waiver to you without cost to me.

I agree to save the cost of service of a summons and an additional copy of the complaint in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with the judicial process in the manner provided by Rule 4.

I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except objections based on a defect in the summons or in the service of the summons.

I understand that a judgment may be entered against me (or the party on whose behalf I am acting) if an answer or motion under Rule 12 is not served upon you within 60 days after May 19, 2008, or within 90 after that date if the request was sent outside the United States.

Date: May 30, 2008

Signature Eve I. Klein
Printed Name
{as _____}
{of _____}

Eve I. Klein
Done this
160
Counsel
for
Dutchess
Dialysis
Center